

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**JAMES WALTER RODGERS,**

**PETITIONER**

**V.**

**NO. 1:05CV216-D-D**

**LAWRENCE KELLY, ET AL,**

**RESPONDENTS**

**OPINION**

The court has attempted communication with the *pro se* petitioner by means of mail sent to petitioner's last known address. This has been returned as undeliverable. Since petitioner has failed to keep the court advised of his address, communication of the court's orders is impossible. Petitioner's failure to keep the court advised of a current address is also indicative of a lack of interest in pursuing this claim and constitutes a failure to prosecute within the meaning of Rule 41(b), Federal Rules of Civil Procedure. Therefore, the case must be dismissed for failure to prosecute. A final judgment in accordance with this opinion will be entered.

THIS the 10th day of January, 2006.

/s/ Glen H. Davidson  
CHIEF JUDGE